

## **REMARKS**

### **I. Introduction**

The application has been carefully reviewed in light of the Office Action dated August 14, 2007 and the telephone interviews with Examiner Phan of October 5 and 9, 2007. This communication is believed to be a full and complete response to that Office Action. Claims 18-28 were pending in the present application prior to entry of the present amendments. By the present Office Action Claims 18-28 have been rejected.

By the present amendment, Claims 18, 25, 26, and 28 have been amended. Claims 19-24 and 27 also remain in the application, and upon entry of the present amendment, Claims 18-28 are present.

Support for these amendments can be found in the original specification, and thus, no new matter has been added. Applicant reserves the right to pursue all original claims in this or other patent applications. Reconsideration and reexamination of the present application is respectfully requested in light of the foregoing amendments and in view of the following remarks, which establish that the pending claims are directed to allowable subject matter.

## **II. Interview Summary**

Telephone interviews were conducted on October 5 and 9, 2007. In the interviews, Applicant's representative pointed out various deficiencies of the *Bright et al.* reference. The amended claims were discussed, especially in connection with the "block identifier that identifies the communications device as a member of a group of subscribers that is to be migrated," and how this is not equivalent with the "IMSI" disclosed in the reference. No agreement on claim language was reached.

## **III. SUMMARY OF THE AMENDMENTS**

### ***In the Claims***

Claims 18, 25, 26, and 28 have been amended.

## **IV. CLAIM REJECTIONS**

### ***Under 35 U.S.C. § 102***

Claims 18-28 were rejected in the Office Action under 35 U.S.C. § 102(e) over U.S. Published Application 2002/0094811 to *Bright et al.* ("*Bright*"). Applicant respectfully traverses this rejection and requests reconsideration and withdrawal thereof.

A claim is anticipated only if "[t]he identical invention [is] shown in as complete detail as is contained in the [presented] claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Indeed, "[e]very element of the claimed invention must be literally present, arranged as in the claim. *Perkin-Elmer Corp.*, 732 F.2d 888, 894 (Fed. Cir. 1984)

*Bright* relates to a telecommunications system and method that allows interworking and interoperability of a serving GSM and/or GPRS system with certain "domestic wireless" systems,

defined in the specification as non-GSM systems compatible with ANSI or equivalent standards for TDMA, CDMA, and analog cellular systems, as generally used in North America. With *Bright*, a mobile station is homed on such a domestic wireless system, but registered with the serving system in a GPRS-only mode, so as to receive services from the serving system.<sup>1</sup> The *Bright* system includes a GPRS interworking and interoperability functional component (IIF) that includes a number of components that simply provide or emulate functions of a GPRS system for such domestic wireless systems, along with translating messages therebetween.<sup>2</sup>

The Office Action principally relies on paragraphs [0051]-[0057] of *Bright*, which refer to the message flow of Fig. 5. These paragraphs provide specifics of a mobile station registered in a domestic wireless network that requests GPRS-only service and uses its IMSI to perform a GPRS location update. The IIF emulates various GPRS components, so that it appears to be indistinguishable from a domestic wireless visitor. In step 510, the mobile station attaches to the GSM network, and authentication occurs in steps 512, 514, and 518. In step 520, a GPRS location update is initiated using an Update Location Request message containing the IMSI. Validation is performed in step 522, and optionally the subscriber IMSI in the Update Location Request is mapped to the associated MIN. Various location information updates and acknowledgements are performed in steps 524, 526, and 528. In steps 530, 532, and 534, subscriber data is downloaded to a serving GPRS support node and acknowledged. A further aspect of the invention is disclosed in paragraph [0056] in which the mobile station is homed to a

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<sup>1</sup> An exemplary reference can be found at Paragraph 0016 of *Bright*.

<sup>2</sup> *Id.* at Paragraph 0017.

network of a different technology family or protocol, and is registered in a GPRS- or packet-only mode.

Paragraph [0057], relied upon most particularly in the Office Action, is drawn to an entirely different embodiment than the preceding paragraphs [0051]-[0056], referring to the flow diagram of Fig. 6 used in conjunction with exemplary embodiments shown in Figs. 3 and 4. This paragraph discloses a step 610 in which an “invoke” message is sent including the MIN (identified as an MSISDN) of the mobile station. In step 612, a determination is made as to whether the message should be forwarded to the mobile station, and a response is transmitted to a message center.

Applicant respectfully submits that, as detailed below, the *Bright* reference fails to disclose or suggest each and every element as set forth in independent Claims 18, 25, and 26, and as a matter of law, claims that depend respectively therefrom, as required to demonstrate an anticipation under 35 U.S.C. § 102.

Claim 18 as currently pending is reproduced below:

Claim 18. A method for *migrating* a communications device from a first wireless communications network *operating on a first standard* to a second wireless communications network *operating on a second standard*, the communications device being assigned a *mobile station identification number (MSIN)*, the method comprising:

*transferring a subscriber profile associated with the communications device from the first communications network to the second communications network, and associating the transferred subscriber profile to a subscriber identifier usable by the second communications network;*

*associating the assigned MSIN with a block identifier that identifies the communications device as a member of a group of subscribers* that is to be *migrated* to the second communications network:

receiving a registration request from the communications device, *the registration request including the block identifier and the MSIN*;

*detecting the block identifier*; and

if the registration request is received in the first communications network:

*in response to detecting the block identifier, associating the MSIN with an interworking and interoperability function (IIF)* and routing the registration request to the IIF.

Applicant respectfully submits that the reference alleged in the Office Action to anticipate the present invention does not include at least those features of Claim 18 emphasized above.

The Office Action states that *Bright* discloses a method for migrating a communications device from a first to a second wireless communications network. In support, a disclosure of “roaming” is cited from paragraph 0003 of the Background portion of the reference. However, this passage clearly discloses that “roaming” is provided “to permit subscribers to receive services using their telecommunications terminals and subscriptions via a system which may not be the subscriber's home system, *provided that the terminal and the serving system are compatible.*” (emphasis added). In contrast, amended Claim 18 defines “migration” as moving a subscriber’s subscription profile from one network standard to another network standard.<sup>1</sup>

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<sup>1</sup> *Id.* at paragraph 0007.

It must be understood that migrating a subscriber's subscription profile from "a first network operating on a first standard to a second network operating on a second standard," as claimed by the applicant, is not equivalent to "roaming." "Roaming" requires that networks be *compatible*, as noted above, whereas migrating across networks *and* standards requires, by necessity, that the networks (and standards) are *not compatible*. The invention embodied by the amended claims allows migration of subscribers' subscription profiles *across otherwise incompatible networks*.

The Office Action additionally equates the claimed *block identifier* with the "IMSI" disclosed in paragraphs 0051-0056 of *Bright*. However, it is well understood in the art, and as used in the subject application that the IMSI (International Mobile Subscriber Identity) is a unique number associated with a particular mobile user. It is therefore clear that an IMSI cannot be construed as a *block identifier that identifies the communications device as a member of a group of subscribers that is to be migrated*. Thus, it is clear that the aforementioned elements disclosed in *Bright* cannot be read onto the presently recited claim elements as proposed in the Office Action.

Furthermore, it is noted that *Bright* discloses using an IMSI in the context of updating location information for a mobile device. Paragraph [0056] states that the IMSI is included in an "Update Location Request message," which is mapped to the MIN during the performance of a validation. The only other reference to the MIN in *Bright* is in paragraph [0057] which states that an "invoke" message is sent including the MIN of the mobile station. Therefore, it is clear that *Bright* cannot be construed as disclosing steps of *associating the assigned MSIN with a block identifier and receiving a registration request...including the block identifier and the*

**MSIN**, as recited in Claim 18. Further, in view of the aforementioned deficiencies, the reference cannot be construed as disclosing a method including steps of ***detecting the block identifier*** whereupon *in response to detecting the block identifier, **associating the MSIN with an interworking and interoperability function (IIF)***, as also recited in amended Claim 18.

In addition to the above proof, it is further noted that paragraph [0057] of *Bright* fails to teach a *subscriber profile*. Therefore, this reference cannot be relied upon as disclosing a method including an initial step of *transferring a subscriber profile associated with the communications device* as recited in Claim 18.

In view of at least the aforementioned reasons, it is clear that *Bright* fails to disclose each and every feature of the claim 18, as required to demonstrate an anticipation under 35 U.S.C. § 102. Applicant therefore respectfully requests that the rejection of Claim 18 and Claims 19-24 depending therefrom, be withdrawn.

Claim 25 as currently pending is reproduced below:

Claim 25: A method for registering a wireless device having a subscription profile that has been migrated from a first communications network ***operating on a first standard*** to a second communications network ***operating on a second standard***, the wireless device being assigned ***a mobile station identification number (MSIN)***, the method comprising:

***associating the assigned MSIN with a block identifier, the block identifier indicating that the wireless device is a member of a group of subscribers*** that has been migrated to the second communications network;

at a signaling transfer point (STP) in the first communications network, receiving a registration request from the wireless device, the **registration request including the block identifier**;

**in response to detecting the block identifier**, associating the MSIN with an Interworking and Interoperability function (IIF);

routing the registration request to the IIF; and

at the IIF:

**mapping the MSIN to a subscriber identifier** having a format that is usable by the second communications network; and

**forwarding the registration request including the subscriber identifier** to the second communications network for processing by the second communications network.

Applicant respectfully submits that *Bright* does not include at least the features of Claim 25 emphasized above. As mentioned above with respect to Claim 18, *Bright* fails to teach a method that employs a **mobile station identification number (MSIN)** and a **block identifier indicating that the wireless device is a member of a group of subscribers**, as recited in amended Claim 25.

Furthermore, for at the aforementioned reasons, *Bright* cannot be construed as disclosing a method including at least the steps of: **associating the assigned MSIN with a block identifier**; **receiving a registration request from the wireless device**, where the **registration request includes the block identifier**; **in response to detecting the block identifier**, associating the MSIN with an Interworking and Interoperability function (IIF); **mapping the MSIN to a subscriber identifier**;



and forwarding the registration request **including the subscriber identifier**, as recited in amended Claim 25

For at least these reasons, it is clear that *Bright* fails to teach each and every feature of claim 25. Therefore, the Office Action fails to demonstrate as required to show an anticipation under 35 U.S.C. §102. Applicant therefore respectfully requests that the rejection of Claim 25 be withdrawn.

Claim 26 as currently pending is reproduced below:

Claim 26: A method for registering a wireless device that has been migrated to a Global System for Mobile (GSM) network, the wireless device being assigned a **Mobile Subscriber Identification Number (MSIN)**, the method comprising:

receiving a registration request at a mobile switching center (MSC) in a visited network selected from the group comprising: a Time Division Multiple Access (TDMA) network and a Code Division Multiple Access (COMA) network, **the registration request including the MSIN**;

forwarding the registration request to a Signaling Transfer Point (STP) in the visited network;

at the STP:

**detecting that the wireless device has been migrated by detecting a block identifier in the registration request indicating that the wireless device is a member of a group that has been migrated to the GSM network;**

in response to detecting that the wireless device has been migrated, analyzing the registration request using global title translation (GTT) based on the

MSIN to identify a Home Location Register (HLR) in the GSM network containing a subscription profile associated with the subscribed wireless device, the subscription profile including an International Mobile Subscriber Identity (IMSI); and

routing the registration request to an interworking and interoperability function (IIF); and

at the IIF, mapping the MSIN to the IMSI and routing the registration request to the GSM HLR using the IMSI.

Applicant respectfully submits that *Bright* does not include at least the features of Claim 26 emphasized above. As mentioned above with respect to Claims 18 and 25, *Bright* fails to disclose or suggest a method that employs a ***mobile station identification number (MSIN)*** associated with a ***single subscriber*** and a ***block identifier*** indicating that the wireless device is a ***member of a group of subscribers***, as recited in amended Claim 26.

For at least the reasons mentioned above, *Bright* cannot be construed as disclosing a method including at least the steps of: ***receiving a registration request including the MSIN***, and ***detecting that the wireless device has been migrated by detecting a block identifier in the registration request indicating that the wireless device is a member of a group that has been migrated to the GSM network***, as presently recited in amended Claim 26.

Therefore, it is clear that *Bright* fails to teach each and every feature of claim 26.

Therefore, the Office Action fails to demonstrate an anticipation as required under 35 U.S.C. §

102. Applicant therefore respectfully requests that the rejection of Claim 26, and Claims 27 and 28 depending therefrom, be withdrawn.

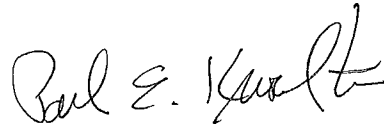
**V. CONCLUSION**

Applicant respectfully submits that all pending claims are in condition for allowance, and accordingly requests reconsideration of the present application and issuance of a notice of allowance in due course.

Should any new concern(s) arise Examiner Phan urged to contact Applicant's undersigned representative, at the telephone number listed below, in an effort to quickly resolve such concern(s).

No fee is believed to be due in connection with this submission. However, if a fee is due, the Commissioner is hereby authorized to charge any such fees, or credit any overpayment, to Deposit Account No. 50-3447.

Respectfully submitted,



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